

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re SUBPOENA TO TAASERA, INC., a
Delaware corporation

Civ. Misc. No. _____

Case Pending: Eastern District of
Texas

Civ. No. 2:22-MD-03042-JRG

**DECLARATION OF D. STUART BARTOW IN SUPPORT OF TREND MICRO INC.'S
MOTION TO COMPEL TAASERA, INC. TO COMPLY WITH
SUBPOENA FOR DOCUMENTS AND TESTIMONY**

I, D. Stuart Bartow, declare and state the following:

1. I am a partner in the law firm Duane Morris LLP. I am permanently admitted to practice law in the State of California and in the District of Columbia, and I am a member of the permanent bar of multiple U.S. district courts and federal appellate courts. I am counsel of record for Trend Micro Inc. (Japan) (“Trend Micro Japan” or “Movant”) in a multidistrict litigation proceeding styled as *In re Taasera Licensing, LLC Patent Litigation*, MDL No. 3042, which is centralized for pre-trial proceedings in the U.S. District Court for the Eastern District of Texas. I provide this declaration in support of Trend Micro Inc.’s Motion to Compel Taasera, Inc., to Comply with Subpoena for Documents and Testimony, filed herewith. I have personal knowledge of the facts set forth herein, and if called as a witness, I could and would testify competently thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of the subpoena for documents and testimony served on the Delaware service agent for Taasera, Inc. (“Taasera”) on August 2, 2023 (the “Subpoena”).

3. Attached hereto as **Exhibit B** is a true and correct copy of the proof of service for the Subpoena.

4. Attached hereto as **Exhibit C** is what I understand to be a true and correct copy of Taasera's original certificate of incorporation, dated July 8, 2011. This copy was retrieved at my direction by our law firm's library staff from the Delaware Secretary of State on September 13, 2023.

5. Attached hereto as **Exhibit D** is a true and correct copy of what I understand to be Taasera's most recent amendment to its certificate of formation, dated October 31, 2016. This copy was retrieved at my direction by our law firm's library staff from the Delaware Secretary of State on September 13, 2023.

6. Attached hereto as **Exhibit E** are true and correct copies of Taasera's annual franchise tax report filings for the years 2011 through 2020. These copies were retrieved at my direction by our law firm's library staff from the Delaware Secretary of State on September 13, 2023.

7. Attached hereto as **Exhibit F** is a true and correct copy of a State of Delaware Certificate of Resignation of Registered Agent Without Appointment of a Successor Registered Agent for Taasera, Inc., dated October 9, 2020. This copy was retrieved at my direction by our law firm's library staff from the Delaware Secretary of State on September 13, 2023.

8. Attached hereto as **Exhibit G** is a true and correct copy of a State of Delaware Certificate for Revival of Charter for Taasera, Inc., dated May 18, 2021. The certificate is signed by Eric B. Hale as "Authorized Officer," and lists A Registered Agent, Inc., located at 8 The Green, Dover, Delaware 19901 as Registered Office for the corporation in Delaware. This copy was

retrieved at my direction by our law firm's library staff from the Delaware Secretary of State on September 13, 2023.

9. Attached hereto as **Exhibit H** is what I understand to be a true and correct copy of Quest Patent Research Corporation's latest amendment to its Delaware certificate of incorporation, dated July 27, 2022, and signed by Jon C. Scahill, Chief Executive Officer. This copy was retrieved at my direction by our law firm's library staff from the Delaware Secretary of State on September 13, 2023.

10. Attached hereto as **Exhibit I** are what I understand to be a true and correct copy of excerpts from a Form 10-K filing with the U.S. Securities and Exchange Commission by Quest Patent Research Corporation for fiscal year ending December 31, 2021, retrieved from the SEC's EDGAR system on or about May 12, 2022. This document was previously filed as an exhibit before the Judicial Panel on Multidistrict Litigation, as well as in another case underlying MDL No. 3042.

11. Attached hereto as **Exhibit J** are what I understand to be true and correct copies of documents reflecting the Texas certificate of formation paperwork for Taasera Licensing, LLC. The documents list a post office box as mailing address and a street address that I am aware is the same as the offices of Taasera Licensing, LLC's outside litigation counsel in cases underlying MDL No. 3042.

12. Movant has not received any responses or objections to the Subpoena.

13. Movant also has not received any documents from Taasera in response to the Subpoena.

14. To my knowledge, no attorney representing Taasera or other representative of Taasera has ever attempted to contact Movant or its outside counsel.

15. On September 14, 2023, I sent an email to several counsel of record for the entity Taasera Licensing LLC, the plaintiff in the above-mentioned MDL proceeding. I asked counsel whether their law firm, Fabricant LLP, represented Taasera Inc., or, if not, whether they knew who did. Mr. Joseph Mercadante, one of Taasera Licensing's counsel, indicated that Fabricant LLP did not represent Taasera Inc., and that counsel's understanding was that Taasera Inc. was "no longer a going concern."

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of October, 2023 at Wilmington, Delaware.

/s/ D. Stuart Bartow

D. Stuart Bartow